

**Alameda County Water District
California Chamber of Commerce
Coachella Valley Water District
Metropolitan Water District of Southern California
Southern California Water Committee
Upper San Gabriel Valley MWD
Western Growers Association
Westlands Water District**

April 5, 2012

The Honorable Jared Huffman
California State Assembly
State Capitol, Room 3120
Sacramento, CA 95814

Re: AB 1884 (Buchanan): Delta Reform Act of 2009 – **OPPOSE**
Assembly Water, Parks and Wildlife Committee: April 10, 2012

Dear Assembly Member Huffman:

On behalf of the agencies and signatories below, we regret to inform you of our collective **opposition** to AB 1884 by Assembly Member Joan Buchanan. AB 1884 proposes to facilitate certain and numerous activities in the Delta by exempting those actions from having to comply with the proposed Delta Plan.

In November 2009, the California Legislature passed a historic package of legislation to address the water supply and ecosystem challenges in the Sacramento-San Joaquin Delta as well as advance statewide water management reforms. Among the bills in the package was SB X7-1 by Senator Joseph Simitian which enacted the Sacramento-San Joaquin Delta Reform Act of 2009. SB X7-1 created, among other entities, the Delta Stewardship Council (Council), a new governing body for the estuary. The Council, which was formed in early 2010, is required to develop and adopt a comprehensive management plan for the Delta that furthers the co-equal goals of Delta ecosystem restoration and a reliable water supply.

The Delta Reform Act also requires a state or local public agency that proposes to undertake a “covered action,” prior to initiating the covered action, to prepare a written certification of consistency with detailed findings as to whether the covered action is consistent with the Delta Plan. This consistency determination is filed with the Council. Once filed, any person who claims that a proposed covered action is inconsistent with the Delta Plan, and as a result of that inconsistency, believes the action will have a significant adverse impact on the achievement of one or both of the co-equal goals or implementation of government-sponsored flood control programs to reduce risks to people and property in the Delta, may file an appeal. The Council may dismiss the appeal, or hold a hearing and either deny the appeal or remand the matter to the state or local public agency for reconsideration.

We, the undersigned, have sought to protect the integrity of the 2009 Delta Reform package. The historic Delta package wisely chose to set an achievable and balanced set of state policies to restore this vital estuary and improve the reliability of water supplies if they are given a chance to succeed.

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AB 1884 begs the question - - what activities would remain a covered action? The bill language is extremely broad. We believe the breadth and scope of the requested exemptions in AB 1884 would seriously impact existing state policy designed to advance the co-equal goals of water supply reliability and ecosystem restoration.

Further, the Delta Stewardship Council is expected to complete and adopt its Delta Plan sometime between May and October. The "covered action" consistency process will start at that time. AB 1884 is premature and no actions have been subject to the consistency determination process to date.

The undersigned are committed to meeting California's water management challenges in a manner consistent with achieving the co-equal goals established by legislative policy. For all of the above reasons, we must oppose AB 1884.

Sincerely,



Walter L. Wadlow
General Manager
Alameda County Water District



Valerie Nera
California Chamber of Commerce



Steve Robbins
General Manager-Chief Engineer
Coachella Valley Water District



Jeff Kightlinger
General Manager
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Shane Chapman
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Gail Delihant
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Tom Birmingham
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cc: Members of the Assembly Water, Parks and Wildlife Committee
Assembly Member Joan Buchanan
Tina Cannon Leahy, Consultant, Assembly Water, Parks and Wildlife Committee
Doug Haaland, Assembly Republican Caucus